

<p style="text-align: center;">  LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i> </p> <p>NOV 04 2004</p> <p>Customer No. 26308</p>	ATTY DOCKET NO. 9448.17205-CIP DIV 9	SERIAL NO. 10/658,089
	APPLICANT Reiley	
	FILING DATE 9 September 2003	GROUP 3732

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No
DI	WO 96/00049	01/1996	PCT (English abstract)				

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	/David Isabella/	DATE CONSIDERED	08/20/2006
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PTO/SB/08A (07-05)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
Substitute for form 1449/PTO				Application Number	10/658,089
				Filing Date	September 9, 2003
				First Named Inventor	Mark A. Reiley
				Art Unit	3738
				Examiner Name	David J. Isabella
Sheet	1	of	1	Attorney Docket Number	29914-701.409

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)	MM-DD-YYYY		
DT		US-6,712,818	03-30-2004	Michelson	
		US-6,648,891	11-18-2003	Kim	
		US-6,638,281	10-28-2003	Gorek	
		US-6,632,226	10-14-2003	Chan	
		US-6,361,506	03-26-2002	Saenger et al.	
		US-6,302,890	10-16-2001	Leone, Jr.	
		US-6,193,758	02-27-2001	Huebner	
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		US-5,314,429	05-24-1994	Goble	
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		US-5,070,623	12-10-1991	Barnes	
		US-4,987,904	01-29-1991	Wilson	
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		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	MM-DD-YYYY			
II		WO 2004/103227	12-02-2004	Archus Orthopedics, Inc.		

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				Art Unit		3738		
				Examiner Name		David J. Isabella		
Sheet	1	Of	10	Attorney Docket Number				29914-701.409

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DI	143.	US 2002/0013585 A1	01-31-2002	Gourmay et al.	
	144.	US 2002/0013588 A1	01-31-2002	Landry et al.	
	145.	US 2002/0042613 A1	04-11-2002	Mata	
	146.	US 2002/0049446 A1	04-25-2002	Harkey, III et al.	
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	163.	US 2004/0049278 A1	03-11-2004	Reiley	
	164.	US 2004/0049281 A1	03-11-2004	Reiley	
	165.	US 2004/0111154 A1	06-10-2004	Reiley	
DI	166.	US 2004/0230201 A1	11-18-2004	Yuan et al.	

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DI	167.	US 2004/0230304 A1	11-18-2004	Yuan et al.	
	168.	US 2005/0010291 A1	01-13-2005	Stinson et al.	
	169.	US 2005/0015146 A1	01-20-2005	Louis et al.	
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	175.	US 2005/0085912 A1	04-21-2005	Arnin et al.	
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	183.	US 2005/0177240 A1	08-11-2005	Blain	
	184.	US 2005/0187560 A1	08-25-2005	Dietzel et al.	
	185.	US 2005/0192589 A1	09-01-2005	Raymond et al.	
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	188.	US 2005/0240264 A1	10-27-2005	Tokish, JR. et al.	
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DI	190.	US 2005/0240266 A1	10-27-2005	Kuiper et al.	

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	193.	US 2005/0267579 A1	12-01-2005	Reiley et al.	
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	207.	US 3,596,656	08-03-1971	Kaute	
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	209.	US 4,156,296	05-29-1979	Johnson et al.	
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	213.	US 4,472,840	09-25-1984	Jefferies	
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DI	215.	US 4,805,602	02-21-1989	Puno et al.	
	216.	US 4,955,916	09-11-1990	Carignan et al.	
	217.	US 5,000,165	03-19-1991	Watanabe	
	218.	US 5,019,081	05-28-1991	Watanabe	
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	220.	US 5,108,399	04-28-1992	Eitenmuller et al.	
	221.	US 5,129,900	07-14-1992	Asher et al.	
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	230.	US 5,510,396	04-23-1996	Prewett et al.	
	231.	US 5,569,247	10-29-1996	Morrison	
	232.	US 5,575,792	11-19-1996	Errico et al.	
	233.	US 5,587,695	12-24-1996	Warmerdam	
	234.	US 5,609,641	03-11-1997	Johnson et al.	
	235.	US 5,643,263	07-01-1997	Simonson	
	236.	US 5,649,930	07-22-1997	Kertzner	
	237.	US 5,658,338	08-19-1997	Tullos et al.	
DI	238.	US 5,662,651	09-02-1997	Tornier et al.	

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DI	239.	US 5,683,391	11-04-1997	Boyd	
	240.	US 5,683,392	11-04-1997	Richelsoph et al.	
	241.	US 5,688,274	11-18-1997	Errico et al.	
	242.	US 5,690,630	11-25-1997	Errico et al.	
	243.	US 5,704,941	01-06-1998	Jacober et al.	
	244.	US 5,725,527	03-10-1998	Biedermann et al.	
	245.	US 5,738,585	04-14-1998	Hoyt, III et al.	
	246.	US 5,741,255	04-21-1998	Krag et al.	
	247.	US 5,766,253	06-16-1998	Brosnahan, III	
	248.	US 5,782,833	07-21-1998	Haider	
	249.	US 5,797,911	08-25-1998	Sherman et al.	
	250.	US 5,800,433	09-01-1998	Benzel et al.	
	251.	US 5,827,289	10-27-1998	Reiley et al.	
	252.	US 5,863,293	01-26-1999	Richelsoph	
	253.	US 5,866,113	02-02-1999	Hoensbroek et al.	
	254.	US 5,879,350	03-09-1999	Sherman et al.	
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	256.	US 5,891,145	04-06-1999	Morrison et al.	
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	261.	US 6,022,350	02-08-2000	Ganem	
DI	262.	US 6,074,391	06-13-2000	Metz-Stavenhagen et al.	

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				Application Number		10/658,089	
				Filing Date		September 9, 2003	
				First Named Inventor		Mark A. Reiley	
				Art Unit		3738	
				Examiner Name		David J. Isabella	
Sheet	6	Of	10	Attorney Docket Number	29914-701.409		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
DI	263.	US 6,077,262	06-20-2000	Schläpfer et al.	
	264.	US 6,086,590	07-11-2000	Margulies et al.	
	265.	US 6,090,111	07-18-2000	Nichols	
	266.	US 6,132,430	10-17-2000	Wagner	
	267.	US 6,190,388 B1	02-20-2001	Michelson et al.	
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	269.	US 6,231,575 B1	05-15-2001	Krag	
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	280.	US 6,514,253 B1	02-04-2003	Yao	
	281.	US 6,520,963 B1	02-18-2003	McKinley	
	282.	US 6,524,315 B1	02-25-2003	Selvitelli et al.	
	283.	US 6,540,749 B2	04-01-2003	Schäfer et al.	
	284.	US 6,547,790 B2	04-15-2003	Harkey, III et al.	
	285.	US 6,554,843 B1	04-29-2003	Ou	
DI	286.	US 6,565,565 B1	05-20-2003	Yuan et al.	

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DI	287.	US 6,572,617 B1	06-03-2003	Senegas	
	288.	US 6,585,769 B1	07-01-2003	Muhanna et al.	
	289.	US 6,712,849 B2	03-30-2004	Re et al.	
	290.	US 6,749,361 B2	06-15-2004	Hermann et al.	
	291.	US 6,770,095 B2	08-03-2004	Grinberg et al.	
	292.	US 6,793,678 B2	09-21-2004	Hawkins	
	293.	US 6,811,567 B2	11-02-2004	Reiley	
	294.	US 6,902,580 B2	06-07-2005	Fallin et al.	
	295.	US 6,949,123	09-27-2005	Reiley	
DI	296.	US 6,974,478 B2	12-13-2005	Reiley	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
DI	297.	EP 1103226 (in German with English Abstract)	05-30-2001	Schaefer, Bernd		
	298.	EP 1205152 A1	05-15-2002	Lafitt, S.A.		
	299.	EP 1254639 A1	11-06-2002	Industrias Quirurgicas De Levante, S.L.		
	300.	FR 2726459 (in French with English Abstract)	05-10-1996	Desauge Jean Pierre		
	301.	FR 2749155 (in French with English Abstract)	12-05-1997	Albert P. Alby		
	302.	FR 2844180 (in French with English Abstract)	03-12-2004	Spinevision		
DI	303.	WO 01/06939 A1 (in French with English Abstract)	02-01-2001	Eurosurgical		

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DI	304.	WO 01/15638 A1	03-08-2001	Cauthen Research Group, Inc.		
	305.	WO 01/28442 A1 (in French with English Abstract)	04-26-2001	Spine Next		
	306.	WO 01/67972 A2	09-20-2001	SDGI Holdings, Inc.		
	307.	WO 02/00270 A1	01-03-2002	Victrex Manufacturing Ltd.		
	308.	WO 02/00275 A1	01-03-2002	Victrex Manufacturing Ltd.		
	309.	WO 02/02024 A1 (in Spanish with English Abstract)	01-10-2002	Surgival Co., S.A.		
	310.	WO 02/02158 A1	01-10-2002	Victrex Manufacturing Ltd.		
	311.	WO 02/43603 A1 (in French with English Abstract)	06-06-2002	Graf		
	312.	WO 02/071960 A1 (in French with English Abstract)	09-19-2002	Spine Next		
	313.	WO 02/34150 A2	05-02-2002	SDGI Holdings, Inc.		
	314.	WO 03/041618 A2 (in French with English Abstract)	05-22-2003	Louis et al.		
	315.	WO 03/075805 A1	09-18-2003	Chin		
	316.	WO 2004/103228 A1	12-02-2004	Archus Orthopedics, Inc.		
DI	317.	WO 2005/009301 A1	02-03-2005	Archus Orthopedics, Inc.		

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NON PATENT LITERATURE DOCUMENTS					
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DI	318.	ABRAHAM, D.J. et al. Indications And Trends In Use In Cervical Spinal Fusions. <i>Orthop Clin North Am.</i> October 1998; 29(4):731-44.			
	319.	EICHHOLZ, K.M. et al. Complications of Revision Spinal Surgery, <i>Neurosurg Focus</i> ; (September 15, 2003), 15(3): pp. 1-4.			
	320.	FARFAN, H.F. Effects Of Torsion On The Intervertebral Joints. <i>The Canadian Journal of Surgery</i> July 1969; 12(3):336-41.			
	321.	FARFAN, H.F. The Pathological Anatomy Of Degenerative Spondylolisthesis. A Cadaver Study. <i>Spine</i> . 1980 Sep-Oct; 5(5):412-8.			
	322.	FARFAN, H.F. et al. The Relation Of Facet Orientation To Intervertebral Disc Failure. <i>The Canadian Journal of Surgery</i> April 1967; 10(2):179-85.			
	323.	FOSBINDER, R.A. et al. Essentials of Radiologic Science. The McGraw-Hill Companies; 2002.			
	324.	GUYER R. et al. Implant: Motion Preservation through Total Posterior-Element Replacement. May 7, 2004 Presentation held at Hofburg Center, Vienna, Austria, (2 pages).			
	325.	KIRKALDY-WILLIS, W.H. et al. Pathology And Pathogenesis Of Lumbar Spondylosis And Stenosis. <i>Spine</i> . Dec. 1978; 3(4):319-28.			
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D	328.	LOMBARDI, J.S. et al. Treatment Of Degenerative Spondylolisthesis. <i>Spine</i> . 1985; 10(9): 821-7.			
	329.	MCMILLIN, C. R. et al. Artificial Spinal Discs with up to Five Years Follow-up. <i>20th Annual Meeting of the Society for Biomaterials</i> (Abstract) 1994; Page 89.			
	330.	POSNER, I. et al. A Biomechanical Analysis of the Clinical Stability of the Lumbar and Lumbosacral Spine. <i>Spine</i> . 1982; 7(4): 374-389.			
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	336.	UCR Pedicle Screw System from SeaSpine (information available at http://www.seaspine.com/UCR_Pedicle_Screw_System.html). Accessed December 5, 2005.			
D	337.	Vicrex of Lancashire, Great Britain. (information on Vicrex available at http://www.matweb.com). Accessed December 5, 2005.			

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